IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.29 OF 2006

IN

SUMMARY SUIT NO.2631 OF 2005

Leena Pradeep Bhalakia. ...Plaintiff

vs.

Deluxe Box Factory & others. ...Defendants.

Ms.Kavita Lalwani, for Plaintiff.

Mr.K.Kukreja i/b. M/s.Kukreja & Co., for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 8th June, 2006.

P.C.:-

By consent of parties, the summons for judgment is disposed of in the following terms:

1. In case the defendants deposit an amount of Rs.1,00,000/- (Rupees One lakh only) with due intimation to the plaintiff within a period of Four months from today, leave to defend shall stand

granted to the defendants. In that event the defendants shall file written statement within a period of Eight weeks from the date of deposit.

2. In case the amount is deposited, the Prothonotary & Senior Master of this Court shall permit the plaintiff to withdraw the amount on furnishing bank guarantee to the satisfaction of the Prothonotary and Senior Master of this Court. The bank guarantee to be furnished within a period of Six weeks from the date of deposit. If the amount is not withdrawn within the aforesaid period by furnishing bank guarantee, the Prothonotary and Senior Master of this Court shall invest that amount in fixed deposit in a nationalised bank.

3. In case the defendant fails to deposit the amount within the aforesaid period, this summons for judgment shall stand granted and the suit shall stand decreed in terms of prayer clause of the suit. In that event, Court fee be refunded as per rules.

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